

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x : UNITED STATES OF AMERICA

- v. -

KEVIN S. WEINSTEIN,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: MAR 26 2013

: INFORMATION

: **13-CR-227**

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COUNT ONE

(Unauthorized Trafficking in Music Videos of
Live Musical Performances)

The United States Attorney charges:

1. From at least in or about October 2011, up to and including in or about December 2012, in the Southern District of New York and elsewhere, KEVIN S. WEINSTEIN, the defendant, without the consent of the performers involved, willfully and knowingly and for purposes of commercial advantage and financial gain, did distribute and offer to distribute, sell and offer to sell, rent and offer to rent, and traffic in one or more copies and phonorecords in which the sounds and images of a live musical performance were fixed, to wit, WEINSTEIN sold bootleg videos from New York, New York of live concert performances by various music artists.

(Title 18, United States Code, Sections 2319A and 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense alleged in Count One of this Information, KEVIN S. WEINSTEIN, the defendant,

JUDGE GARDEPHE

shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(c) and 2323, and Title 28, United States Code, Section 2461, any and all property constituting and derived from proceeds obtained directly and indirectly as a result of the offense, and any property used and intended to be used in any manner and part to commit and to facilitate the commission of the said offense.

Substitute Assets Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
 - a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third person;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value; or
 - e. has been commingled with other property which cannot be subdivided without difficulty;it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any

other property of the defendant up to the value of the above-described forfeitable property.

(Title 18, United States Code, Sections 981 and 2323;
Title 21, United States Code, Section 853;
Title 28, United States Code, Section 2461.)

Preet Bharara

PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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INFORMATION

13 Cr.

(18 U.S.C. §§ 2319A and 2.)

PREET BHARARA
United States Attorney.

3/26/13 F/d. Information & Waiver of Indictment
Pitman, vs M=

